

**RESOLUTION ADOPTING THE RECOMMENDATION OF THE
JOINT LAND USE BOARD THAT THE PROPOSED REDEVELOPMENT PLAN
AMENDMENTS FOR THE TOWN CENTER EAST REDEVELOPMENT AREA ARE
NOT CONSISTENT WITH THE BOROUGH MASTER PLAN**

WHEREAS, Block 29, Lots 1 through 17; Block 33, Lots 5, 6, 7, 12, 13 and 13.01; and Block 61 part of Lot 4 as designated on the Tax Map of the Borough of Merchantville has been designated by the Borough Council of the Borough of Merchantville as an area in need of redevelopment pursuant to the criteria set forth in N.J.S.A. 40A: 12A-1 et seq. Such area is known as the Town Center East Redevelopment Area (hereinafter "Redevelopment Area"); and

WHEREAS, the Borough Council of the Borough of Merchantville has adopted a Redevelopment Plan for the Redevelopment Area pursuant to N.J.S.A. 40A: 12A-7(f), known as the Town Center East Redevelopment Plan (the "Redevelopment Plan") which addresses the municipal objectives for the area and the plan for redevelopment of the area, and which generally sets forth the goals and objectives for the Redevelopment Area and outlines the actions to be taken to accomplish these goals and objectives; and

WHEREAS, a request was made by the designated redeveloper, Fieldstone Associates, L.P., to make certain amendments to the Redevelopment Plan which proposed amendments are attached hereto as Exhibit "A" (the "Amendments"); and

WHEREAS, by Resolution dated July 11, 2011, the Borough Council requested and authorized the Joint Land Use Board of the Borough of Merchantville to review the proposed Amendments and report its findings to the Mayor and Borough Council on the appropriateness of the Amendments; and

WHEREAS, significant time passed during which various negotiations took place between the Borough and the designated Redeveloper relating to various development obstacles and issues; and

WHEREAS, the Joint Land Use Board retained Ragan Design Group Planning, LLC ("Ragan") to review the proposed Amendments and analyze the consistency of the Amendments with the Master Plan of the Borough of Merchantville, the Redevelopment Plan, and the Parking Management Study previously conducted by Ragan (the "Parking Study") ; and

WHEREAS, thereafter Ragan issued a report dated January 3, 2013 wherein Ragan provided an analysis of the consistency of the Amendments with the Master Plan, Redevelopment Plan, and Parking Study (the "Ragan Report"); and

WHEREAS, Mara Wuebker, P.P., A.I.C.P. from Ragan appeared at the January 8, 2013 meeting of the Joint Land Use Board to present the findings of the Ragan Report, was sworn in and testified with respect to the analysis of the Amendments and determined that the Amendments are inconsistent with the Master Plan, the Redevelopment Plan and the

Parking Study; and

WHEREAS, Ragan learned of a 2008 Amendment to the Redevelopment Plan after the January 8 meeting. Ragan subsequently issued a supplemental report dated February 12, 2013 wherein Ragan affirmed and supplemented its January 3 analysis and conclusion;

WHEREAS, the Joint Land Use Board adopted Resolution 2013-07, which is attached hereto as Exhibit "B", (the "Board Resolution"), which incorporated the Ragan Report in its entirety and recommended that the Borough Council not adopt the Amendments due to inconsistency with the Master Plan, Redevelopment Plan and Parking Study as the Board's formal report to the Borough Council; and

WHEREAS, the Borough Council hereby adopts the findings of the Joint Land Use Board contained within the Board Resolution, specifically that the Amendments are inconsistent with the Master Plan, Redevelopment Plan and Parking Study, with respect to the proposed alterations to provisions concerning permitted uses, building height and parking; and

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough of Merchantville to adopt this Resolution and clearly state that this Resolution, together with the Board Resolution, shall be, and hereby is, the report of the Borough Council regarding the inconsistency of the Amendments proposed by the redeveloper, to the Redevelopment Plan.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council, that it adopts the Board Resolution and states that this Resolution, together with the Board Resolution, shall be, and hereby is, the report of the Borough Council and the basis for rejecting the Amendments proposed by the Redeveloper.

BE IT FURTHER RESOLVED that the proposed Amendments to the Town Center East Redevelopment Plan are hereby rejected.

March 11, 2013

ATTEST:

BOROUGH OF MERCHANTVILLE

BY: _____
Denise Brouse, Borough Clerk

BY: _____
Frank North, Mayor